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SPIEGEL CREDITORS ALLEGE BANKRUPTCY

Theatrical Producer Has Liabilities of \$750,000, Assets Are \$300,000.

CONFINED IN ASYLUM

Meteoric Rise to Promoter, Owner and Manager of Many Enterprises.

KNOWN AS 'PLUNGER'

Counsel for the Petitioners Thinks Total Liabilities May Reach \$1,000,000.

Max Spiegel, who has an office at 1579 Broadway and who has been one of the spectacular figures in theatrical promotion of late years, was named in an involuntary petition in bankruptcy filed in the United States District Court yesterday and asking for the appointment of a receiver. Spiegel's liabilities are listed at \$750,000 and the assets about \$300,000, but a statement by counsel for the creditors later said that the liabilities would probably reach \$1,000,000. The petitioning creditors are Morris C. Rosenbaum, with a claim of \$20,000; Edwin Monett, \$8,000, and Charles Mohr, \$2,223.

The suit came as a result of a meeting of Spiegel's creditors at the Hotel Pennsylvania, on Monday, when it was voted to put the affairs of the promoter in the hands of the Federal court. Judge Julian W. Mack appointed Sol Brill, formerly of the firm of Moss & Brill, and Edward Hynes, a lawyer of 193 Broadway, joint receivers with a bond of \$25,000. The case is considered in theatrical circles as involving the largest amount ever mentioned in bankruptcy proceedings against a theatrical manager.

Mortimer Fishel of Gerber, Dittenhoefer & Fishel, counsel for the defendant, said last night that Spiegel's troubles began when he signed leases of certain properties which bound him to demolish the existing structures within a period of five years and erect theaters. When these contracts were made, the lawyer said, the theaters could have been built for a reasonable cost, but when the time for construction arrived labor and materials had advanced to such an extent that the original estimates were doubled. In trying to solve this situation, Mr. Fishel said, Spiegel suffered a mental breakdown. Because of his condition it is not possible now to tell the exact shape of his affairs.

Spiegel formerly had a franchise on the Columbia burlesque circuit, and later was vice-president of the Strand

'ODD AND EVEN' TO DECIDE RELIGION OF CITY'S WAIFS

Good Old Fashioned Names Await Doorstep Foundlings for the Year 1923, Under Plan of Nursery and Child's Hospital.

Twenty good old fashioned names are ready to be pinned on the first lot of abandoned babies that the city authorities leave on the doorsteps of the New York Nursery and Child's Hospital, 161 West Sixty-first street. This is a Protestant institution and receives about one-half of the year's crop of deserted infants left for Father Knickerbocker to rear or place in homes.

The first to be received at the home after the infant year of 1923 has been ushered in will be Alfred Stevens, if a boy, and Isabel Older, if a girl. Then there will be James Adams and Anne Calder in the event sexes alternate, and after them will come Charles Wilcox followed by Elizabeth Maxwell, Edward Francis, Mary, Blanche, Harriet and Irving are the other first names selected by the committee, whose chairman is Mrs. E. A. Hooper, director of the board-out department of the hospital.

Theater and a partner in a chain of movie houses. He made his debut as a legitimate producer this season, when he starred Nora Bayes in "Queen of Hearts."

Edwin M. Otterbourg of Otterbourg, Steindler & Houston, counsel for the petitioners, put the liabilities at \$1,000,000. In his remarks Mr. Otterbourg said that any estimate of Mr. Spiegel's assets at present would be conjectural. His statement added:

"The purpose of the receivership is to conserve the assets of Max Spiegel and to protect the interests of creditors in respect thereto. His affairs are in a chaotic state at present, due to his having been committed to a sanitarium by order of the Probate Court of Stamford, Conn., last week as an insane person. Whether or not he is in fact insane is a matter which may be tested later. Among the assets who have passed upon his condition and who have found that he should be in a sanitarium are Drs. Graeme Hammond and Charles E. MacDonald."

Mortimer Fishel of Gerber, Dittenhoefer & Fishel, counsel for the producer, said that it would be impossible to say how many cents on the dollar would be paid by Spiegel. He explained:

"Because of Mr. Spiegel's mental collapse this is difficult to ascertain. Accounts are going over his books, and they may be able to report in two or three days. Meanwhile, I am certain that if his creditors will cooperate, there will be substantial remuneration."

BROOKLYN MAN 90 YEARS OLD.

Charles B. Pearson of 356 Vanderbilt avenue, Brooklyn, celebrated his ninety-ninth birthday yesterday in his home with his three children, Miss Mary A. Pearson, Mrs. C. W. Compton and Charles D. Pearson of Freeport, L. I. When a young man Mr. Pearson traveled through New Hampshire with Daniel Webster delivering campaign addresses.

Eight names for negro babies were added to the list because to this nursery are always brought a number of the dark skinned little folk whose parents apparently have no use for them. Many of these babies are later adopted. They are first received by Bellevue Hospital and then sent to hospitals and nurseries. The announcement made yesterday by John R. Howard, superintendent of the West Sixty-first Street Nursery, said that the religion of the babies is decided by their number. Even number babies are adjudged to be Protestants and odd number babies Catholics, where the religion of the parents is not indicated. Miss Hooper said that the number of abandoned children had been declining in recent years and that while 1922 had brought nineteen youngsters to their doors, she did not anticipate more than a score, if that many, in 1923.

PRUDENTIAL PRESIDENT IS METROPOLITAN GUEST

Leading Insurance Men Attend Dinner Here.

The Metropolitan Life Insurance Company gave a dinner last evening in the Metropolitan Building, 1 Madison avenue, in honor of Edward D. Duffield, recently elected president of the Prudential Insurance Company of Newark.

In addition to Mr. Duffield those who accepted Mr. Fiske's invitation included Richard V. Lindabury, general counsel of that company; Alfred Hurrell, a vice-president and general solicitor; John K. Gore, a vice-president and actuary; and Wilbur S. Johnson, a vice-president, all of the Prudential; Henry Bruere, formerly City Chamberlain of New York; Walton L. Crocker, president of the John Hancock Company of Boston; J. L. Wakefield, vice-president and general solicitor of that company; and C. A. Peabody, president of the Mutual Life Insurance Company.

Halley Fiske, president of the Metropolitan Life Insurance Company, presided, and with him as hosts to Mr. Duffield were Frederick H. Ecker, George B. Woodward, Frank O. Ayres, Robert Lynn Cox, Harry J. Miller, Lee K. Frankel, James E. Kavanaugh, George R. Scott, William F. Dobbin, James V. Berry and John C. Knight, vice-presidents; Henry W. George, treasurer; Walter R. Quick, auditor; James V. Craig and Raymond V. Carpenter, actuaries; James S. Roberts, secretary; William J. Tully, general solicitor; LeRoy A. Lincoln, general attorney; Drs. Thomas H. Willard and Augustus S. Knight, medical directors; Louis I. Du'lin, statistician, and numerous others of the Metropolitan.

LIBERTY OIL CITED IN 2 BANKRUPTCIES

Creditors' Petition Here Dismisses Similar Action Taken in Kansas.

LOSS PUT AT \$1,250,000

Company Fights Attempt to Have New York Take Jurisdiction.

An involuntary petition in bankruptcy was filed yesterday against the Liberty Oil Company of 62 Cedar street, discharging the bankruptcy of the company in the United States Court at Wichita, Kan., December 9, and seeking to take jurisdiction from that court.

The liabilities of the company are estimated at more than \$1,250,000, with assets consisting of lands and leases whose value is undetermined.

The Liberty Oil Company was organized in 1918 by A. B. Leach & Co., Inc., investment brokers, of 68 Cedar street, and J. W. R. Crawford, vice-president of half a dozen subsidiaries of the Standard Oil Company. Henry M. Earle, attorney for Leach & Co., said the court here will be asked to dismiss the petition on the ground that the home offices and assets of the oil company are in reality in the jurisdiction of the Kansas court.

A. Gordon Murray of 56 Pine street, attorney for three petitioning creditors here, contends that the headquarters of the Liberty Oil Company, which is described as a Virginia corporation, are in New York and that the company's assets are negligible. He said also that a dozen or more actions in equity have been filed against Leach & Co., sellers of the Liberty securities, for recovery of purchasers' money on the ground that misrepresentations were made concerning the paper. Mr. Earle said one such action had been brought, was won by Leach & Co. and is now on appeal, but he knew of no others.

The Liberty Oil Company issued five series of 7 per cent. convertible secured gold notes, at intervals of several months beginning in the summer of 1918, each series being secured by the purchase of potential oil lands in Oklahoma and Kansas. A sinking fund to be created from a percentage of gross profits was established with the Bankers Trust Company as trustee. At first the company prospered, and then its wells failed. The sinking fund payments dwindled to nothing.

The first series of notes matured July, 1921, and the company defaulted, as has been the case in all except the last series, which is not due until March, 1924.

A. B. Leach & Co. offered a reorganization plan in 1920, predicated upon a surrender of notes and an additional

payment of 20 per cent. of the par value of the surrendered notes. That payment was to finance a new gasoline process, which, Earle said, proved successful, but of which few Liberty Oil security holders took advantage.

The total subscription of Liberty Oil was \$1,400,000, of which \$1,257,000 is said to be outstanding as liabilities. The notes were widely distributed.

HOUSTON-FIBLE AUDIT BEGINS IN KANSAS CITY

Special Dispatch to THE NEW YORK HERALD. KANSAS CITY, Mo., Dec. 19.—The audit of the accounts of Houston, Fible & Co., brokers, was started today. The vault where there is presumed to be collateral valued at more than \$1,250,000, as well as securities deposited for safe keeping, has not been examined.

W. M. Fible declined today to issue any statement until the arrival tomorrow of his partner, W. H. Houston, who is more familiar with events leading up to the failure of the firm to meet a call for \$800,000 in New York. The fact that Houston, Fible & Co. is a partnership and not a corporation—a corporation cannot have a seat on the New York Stock Exchange—places all the personal property of the partners behind the obligations of the brokerage firm. The personal fortunes of both men were large. The net earnings of the business have been estimated in excess of \$150,000 a year.

COSTS \$750 TO CALL VACCINI 'PIG' IN HOTEL

Jury Awards Damages Against the Lafayette.

Dominique Vaccini, who had sued Raymond Ortel, Inc., which operates the Lafayette Hotel, for damages on the ground that Fible Dutton, manager of the hotel, had humiliated him by calling him a pig and refusing to serve him in the hotel's restaurant, was awarded a verdict for \$750 by a jury yesterday before Justice Tompkins in the Supreme Court at White Plains. Vaccini had asked for \$20,000 damages.

Vaccini alleged that on June 25, 1918, he went to the Lafayette with friends, among them Vice-Consul Bibbey of France, and that Dutton refused him service and called him a pig in French. Dutton said that Vaccini had been a runner for the hotel, meeting passengers on incoming liners. Because of a quarrel he had been warned to stay away from the hotel. During this quarrel, Dutton said, Vaccini called him a "soup eater" and other things which the manager considered insulting.

When the verdict was announced Justice Tompkins said to the jury:

"That is a very reasonable and sensible verdict. The verdict is right and the amount is right."

DOCTOR AND TAXI DRIVER IN HOT FIGHT

Women Yell as Jablons, Gangrene Expert, Rolls in Street With Opponent.

Patrolman Winthrop of the West Thirtieth street station pushed his way through a crowd in front of the Pennsylvania station last night and found two men rolling in the street, pummeling each other, while three young women standing about a taxicab screamed for help. The policeman took the men to the station, where one said he was Dr. Benjamin Jablons of 499 West End avenue, a surgeon attached to Flower Hospital, and the other Nathan Farrell, a taxicab driver of 453 East 119th street. They were charged with disorderly conduct.

Dr. Jablons said he and three young women got into Farrell's taxicab at the Grand Central Station and told him to go to West End avenue and Eighty-second street. Instead, he said, Farrell went east in Forty-second street, south in Third avenue, west in Fourteenth street and finally north in Seventh avenue until he came to the Pennsylvania Station. There was an argument and the fight began. Farrell said he could not understand the doctor because the doctor did not speak English. Dr. Jablons furnished bail and Farrell was locked up.

The release of Dr. Jablons was arranged when he told the lieutenant that he had to operate on a patient for gangrene within a few hours. Dr. Jablons is a specialist in the treatment of gangrene.

FINE MILK CONCERN FOR HEALTH VIOLATION

Department of Health Complaint Costs Concern \$750.

Sheffield Farms Company, Inc., was fined \$750 yesterday by Magistrate Simpson in Municipal Term Court for alleged violation of the sanitary code on three occasions in its plant at 324 West Fifty-seventh street. Inspector Sobel of the Department of Health testified that he visited this plant on May 19, August 3 and September 28, and found conditions held to be in violation of the health regulations.

The Magistrate fixed the fine at \$250 on each of the three charges. It was said that the company plant that it is open for inspection of the public at all times.

Metropolitan Art and Auction Galleries

45-57 WEST SIXTH STREET
Announce the Sale at Public Auction of an exquisite collection that is received from Rue de la Paix, PARIS. Today and Tomorrow at 2.30 P. M.

Ideal Christmas Gifts
Consignments comprise of the Latest Novelty Gifts in Gold and Silver Boxes, studded with Diamonds and other Precious and Semi-Precious Stones; Purse; Neckties of Ivory, Amber, Moonstone, etc., etc., unusual Hairpins, Pendants and Bracelets; Jewels; Cases; rare Toys; Sets; Chignons; Cases; rare Gold, Silver, French, Swiss, Turkish, Shell and Leather; Vanity Cases; Jeweled Cigarette Holders; Antique Fans; Christmas Pictures; Frames; Manticoes; Sets; Boudoir Clocks; Rugs; Bedspreads; Sewing Sets; hand tooled Leather Novelties, including Desk Sets, Atomizers, etc.

S. G. WATSON, Auctioneer. Phone: 2580-2166 Plaza.

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Photographer of Men.
276 FIFTH AV. COR. 47TH ST.

The Mind in the Making

James Harvey Robinson

YOUR MIND
Wherever Books Are Sold, \$2.50. Harper & Brothers, Est. 1917, New York.

The Sun Leads All New York Evening Newspapers in Advertising Gains

DURING the eleven months of 1922 The Sun published 8,727,904 agate lines of advertising (29,093 columns)—an increase of 1,282,886 lines (4,276 columns) over the corresponding months of 1921.

Four New York evening newspapers gained in advertising during this period.

The Sun's gain was greater than the combined gain of the three other evening newspapers that increased in advertising.

The Sun's gain was 467,074 lines greater than that of the next evening newspaper.

THE SUN.	Gains of all other New York Evening Newspapers
1,282,886 Lines Gain, or 54.6%	1,065,360 Lines, or 45.4%

This record reflects the confidence of advertisers in The Sun—a confidence drawn from a consistently large and increasing volume of sales directly traceable to advertising in this newspaper.

The Sun
280 Broadway New York City

Gifts from Lewis & Conger's

Shop at Lewis & Conger's for practical gifts

EVERY GIFT you find at Lewis & Conger's is a practical gift. There is something distinctive here for every member of the family—something that will be used over and over and cherished throughout the year.

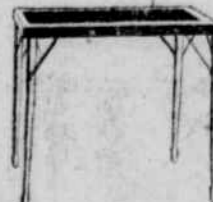
Send for leaflet containing Christmas Suggestions



Vacuum Jug Set will keep a quart of liquid hot or cold for hours. Set consists of jug, two glasses and tray. Colors either blue or pink, \$16. Ivory or mahogany, \$17.



Here are two good choices for a man. Russian-bear military brushes with ebony backs, \$17, a pair. Badger shaving brush with bristles that cannot pull out, \$3.



Card Table. It folds up when not in use. It stands firmly when opened. The three inch mahogany finish border and surface of fine soft bair give it a distinctive character. \$12.50.



Smoke Consumer eats tobacco smoke and makes the air in a room pure. 4 1/2 inches high. Finished either in polished brass, brushed brass or bronze, \$5.



Blackboard and Table in one. When the cover is folded down it makes a neat table. When the cover is up it is a blackboard for doing nursery arithmetic. \$10.



Beverage Shaker. The rare richness of this hammered silver beverage shaker is noticed at a glance. It has a wide neck for taking good-sized pieces of ice. \$15.75



Penknife. A good knife is always acceptable to a man or boy. The one illustrated of Wostenholm's Sheffield steel has three blades and nail file, with shining pearl handle, \$5.75

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For sale everywhere at electrical, hardware, sporting goods, drug, and auto accessory shops; garages; general stores.

EVEREADY FLASHLIGHTS & BATTERIES